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Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Council of Europe

Albania, Andorra, Armenia, Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, Norway, Poland, Republic of Moldova, Slovakia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine and United Kingdom of Great Britain and Northern Ireland: draft resolution

Cooperation between the United Nations and the Council of Europe

The General Assembly,

Recalling the Agreement between the Council of Europe and the Secretariat of the United Nations signed on 15 December 1951 and the Arrangement on Cooperation and Liaison between the Secretariats of the United Nations and the Council of Europe of 19 November 1971,

Recalling also its resolution 44/6 of 17 October 1989, in which it granted the Council of Europe a standing invitation to participate as an observer in its sessions and work, as well as its previous resolutions on cooperation between the United Nations and the Council of Europe,[1]

Acknowledging the contribution of the Council of Europe to the protection and strengthening of human rights and fundamental freedoms, democracy and the rule of law through its standards, principles and monitoring mechanisms, as well as to the effective implementation of relevant international legal instruments of the United Nations,

Acknowledging also the contribution of the Council of Europe to the development of international law, and noting the openness of the Council of Europe to the participation of States of other regions in its legal instruments,

[1] Resolutions 55/3, 56/43, 57/156, 59/139, 61/13, 63/14 and 65/130.

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Welcoming the role of the Council of Europe in building a united Europe without dividing lines and the contribution of the Council of Europe to cohesion, stability and security in Europe,

Commending the increasing contribution of the Council of Europe, including at the parliamentary level, to democratic transition in its neighbouring regions aimed at promoting democratic institutions and procedures, and welcoming the readiness of the Council of Europe to further share its experience in democracy-building with interested countries on the basis of a demand-driven approach,

Welcoming the increasingly close relations between the United Nations and the Council of Europe and the opening of the Permanent Delegations of the Council of Europe to the United Nations Offices at Geneva and Vienna, and commending the contribution of those delegations to the enhancement of cooperation and the achievement of greater synergy between the United Nations and the Council of Europe,

Taking note with appreciation of the report of the Secretary-General on cooperation between the United Nations and the Council of Europe,[2]

1. *Reiterates its call for* the reinforcement of cooperation between the United Nations and the Council of Europe regarding the protection of human rights and fundamental freedoms, the promotion of democracy and the rule of law, inter alia, the prevention of torture, the fight against terrorism and trafficking in human beings, the fight against racism, discrimination, xenophobia and intolerance, the promotion of religious freedom and the defence of religious minorities, the protection of the rights and dignity of all members of society, including children, the elderly, migrants and persons belonging to minorities, the promotion of gender equality and the promotion of human rights education;

2. *Confirms its recognition* of the key role of the European Court of Human Rights in ensuring effective human rights protection under the European Convention for the Protection of Human Rights and Fundamental Freedoms[3] for the 800 million citizens in the 47 member States of the Council of Europe, and notes with interest the efforts to guarantee the long-term effectiveness of the Court system and to ensure the rapid and effective execution of Court judgments, as well as the ongoing work aiming at accession of the European Union to the Convention;

3. *Recognizes* the important role of the Council of Europe in upholding the rule of law and fighting impunity, including by strengthening the capacity of the national judiciaries of its member States to carry out their work consistent with the relevant international obligations of the member States in particular, and where applicable, those defined in the Rome Statute of the International Criminal Court;[4]

4. *Also recognizes* the role of the revised European Social Charter and of the European Committee of Social Rights in protecting economic and social rights, notes the complementarities of the United Nations Convention on the Rights of Persons with Disabilities[5] and the Council of Europe Disability Action Plan 2006-2015, and confirms its support for cooperation between the two organizations

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[2] See A/67/280-S/2012/614, sect. II.

[3] Council of Europe, *European Treaty Series*, No. 5.

[4] United Nations, *Treaty Series*, vol. 2187, No. 38544.

[5] Resolution 61/106, annex I.

with respect to the eradication of poverty, the protection and promotion of the rights and dignity of persons with disabilities, the fight against maternal and child mortality, encouraging the integration of migrants and refugees, strengthening social cohesion and ensuring the protection of economic, social and cultural rights for all;

5. *Encourages* further cooperation between the United Nations, including the Human Rights Council and the Office of the United Nations High Commissioner for Human Rights, as well as the Special Rapporteur on the situation of human rights defenders, and the Council of Europe, including its Commissioner for Human Rights, with regard to promoting respect for human rights;

6. *Takes note with appreciation* of the contribution of the Council of Europe to the enhancement of cooperation between international and regional mechanisms for the promotion and protection of human rights, and in this context welcomes, in particular, the contribution of the Council of Europe to the universal periodic review regarding the situation of human rights in States members of the Council of Europe;

7. *Encourages* further cooperation, where appropriate, between the United Nations and the Council of Europe through their mechanisms on the prevention of torture and cruel, inhuman or degrading treatment or punishment, and supports the development of cooperation in the penitentiary field, namely with regard to the consideration by Member States of updating the Standard Minimum Rules for the Treatment of Prisoners[6] and in combating prison overcrowding;

8. *Also encourages* the Council of Europe to continue cooperation with the United Nations in the fight against trafficking in persons, recalls that the Council of Europe Convention on Action against Trafficking in Human Beings[7] is open for accession by all States, takes note with interest of the results of the monitoring activities carried out by the Group of Experts on Action against Trafficking in Human Beings and by the Committee of the Parties to the Convention;

9. *Takes note with appreciation* of the ongoing elaboration by the Council of Europe of a convention against trafficking in human organs and a possible protocol thereto against trafficking in human tissues and cells, as a follow-up to the joint Council of Europe/United Nations study entitled *Trafficking in organs, tissues and cells and trafficking in human beings for the purpose of the removal of organs*, and encourages further cooperation in this field;

10. *Welcomes and encourages* the close collaboration between the United Nations Children's Fund, the Special Representative of the Secretary-General on Violence against Children, the Office of the United Nations High Commissioner for Human Rights, the Committee on the Rights of the Child and the Council of Europe to protect and promote the rights of the child, takes note of the Council of Europe Strategy for the Rights of the Child (2012-2015) promoting the implementation of the Convention on the Rights of the Child[8] in its member States, and in this context recalls that the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse[9] is open for accession by all States, and

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[6] *Human Rights: A Compilation of International Instruments*, Volume I (First Part), *Universal Instruments* (United Nations publication, Sales No. E.02.XIV.4 (Vol. I, Part 1)), sect. J, No. 34.

[7] Council of Europe, *European Treaty Series*, No. 197.

[8] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[9] Council of Europe, *European Treaty Series*, No. 201.

supports the Council of Europe ONE in FIVE campaign to stop sexual violence against children;

11. *Welcomes* the reinforced action of the Council of Europe to promote the social inclusion and respect for human rights of the Roma, and encourages further cooperation between the two organizations in this field;

12. *Also welcomes* the strengthening of agreed and specified cooperation between the Council of Europe and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), encourages both bodies to pursue the development of a fruitful collaboration in eliminating violence against women and the achievement of de facto gender equality, and in this context recognizes the important contribution which the new Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence,[10] which is open for accession by all States, will make in eradicating this scourge;

13. *Encourages* continuing cooperation between the Office of the United Nations High Commissioner for Refugees and the Council of Europe, in particular in the protection and promotion of the rights of refugees, asylum seekers and internally displaced persons, and in the prevention and reduction of statelessness, and recognizes the importance of the interface offered by the presence at the Council of Europe of the United Nations High Commissioner for Refugees Representation to the European Institutions in Strasbourg, as well as by the Permanent Delegation of the Council of Europe to the United Nations Office at Geneva;

14. *Recognizes* the continuing close liaison and fruitful cooperation between United Nations missions and the field offices of the Council of Europe;

15. *Encourages* further cooperation between the United Nations and the Council of Europe in the area of democracy and good governance, including by active participation in the Strasbourg World Forum for Democracy and through engagement with youth representatives and civil society, as appropriate, and the strengthening of the links between the United Nations Decade of Education for Sustainable Development and the Council of Europe Project on Education for Democratic Citizenship and Human Rights, and in this context welcomes the contribution of the Conference of international non-governmental organizations of the Council of Europe to those activities;

16. *Notes* the important role of the United Nations Development Programme and the Council of Europe in supporting good local democratic governance, as well as the fruitful cooperation between them, encourages further deepening of the cooperation following the signature in February 2010 of the memorandum of understanding between the United Nations Development Programme Regional Bureau for Europe, the Commonwealth of Independent States and the Council of Europe in this field, and calls for enhanced cooperation between the Council of Europe and the United Nations Human Settlements Programme in the field of sustainable urban governance;

17. *Taking note* of the contribution of the Council of Europe in protecting and promoting all human rights and fundamental freedoms, including, inter alia, the right to freedom of expression and opinion and the freedom of the media, and

[10] Ibid., No. 210.

encourages further cooperation between the Council of Europe and relevant United Nations agencies in this regard, in particular with regard to the implementation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity;

18. *Reaffirms* that the development of the information society and the Internet must protect and respect freedom of expression, as well as privacy rights, including as they relate to data protection, while recognizing lawful restrictions as set out in domestic legislation in accordance with international human rights law, acknowledges the importance of the work of the Council of Europe in protecting those rights, takes note of its Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data,[11] which is open for accession by all States, and encourages further cooperation in these areas between relevant United Nations agencies and the Council of Europe as appropriate;

19. *Welcomes and encourages* the close cooperation between the two organizations in the fight against transnational organized crime, cybercrime, terrorism and money-laundering, as well as in the protection of the rights of victims of such crimes, and recalls that the Council of Europe Convention on Cybercrime[12] and the Additional Protocol thereto,[13] the recently adopted Council of Europe Convention on the Counterfeiting of Medical Products and Similar Crimes Involving Threats to Public Health,[14] as well as several other relevant Council of Europe conventions, are open for accession by all States;

20. *Welcomes and supports* the cooperation between the respective mechanisms concerning the prevention of and the fight against corruption, notably by reviewing and mutually reinforcing the implementation of international anti-corruption standards;

21. *Welcomes* the commitment of the Council of Europe to the promotion of the implementation of the United Nations Global Counter-Terrorism Strategy[15] and the collaboration between their respective mechanisms regarding the fight against terrorism, including the financing of terrorism, in full respect of human rights and the rule of law, and recalls that the Council of Europe Convention on the Prevention of Terrorism[16] and Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism[17] are open for accession by all States;

22. *Also welcomes* the continued cooperation of the Council of Europe, where appropriate and in accordance with international drug control conventions, with the United Nations Office on Drugs and Crime and the International Narcotics Control Board in the fight against drug abuse and drug trafficking, and notes the role played by the Pompidou Group in this regard;

23. *Further welcomes* the contribution of the Council of Europe to the Sixth Committee of the General Assembly and the International Law Commission;

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[11] Council of Europe, *European Treaty Series*, No. 108.
[12] Ibid., No. 185.
[13] Ibid., No. 189.
[14] Ibid., No. 211.
[15] See resolution 60/288.
[16] Council of Europe, *European Treaty Series*, No. 196.
[17] Ibid., No. 198.

24. *Notes* the cooperation established between the Alliance of Civilizations and the Council of Europe following their signature of a memorandum of understanding on 29 September 2008 and the accession of the Alliance of Civilizations to the Faro Platform, and encourages the United Nations Educational, Scientific and Cultural Organization and the Alliance of Civilizations on the one hand, and the Council of Europe and its North-South Centre on the other, to pursue their developing and fruitful collaboration in the field of intercultural dialogue;

25. *Also notes* the cooperation between the Council of Europe and the United Nations Educational, Scientific and Cultural Organization in the field of education, and encourages the extension of this cooperation, which should continue to focus on the role of education in developing just and humane societies characterized by the participation of individuals and the ability of individuals and societies to conduct intercultural dialogue, as well as on the encouragement of the diversity of cultural expressions;

26. *Requests* the Secretaries-General of the United Nations and the Council of Europe to combine their efforts in seeking answers to global challenges, within their respective mandates, and calls upon all relevant United Nations bodies to support the enhancement of cooperation with the Council of Europe;

27. *Decides* to include in the provisional agenda of its sixty-ninth session, under the item entitled "Cooperation between the United Nations and regional and subregional and other organizations", the sub-item entitled "Cooperation between the United Nations and the Council of Europe", and requests the Secretary-General to submit to the General Assembly at its sixty-ninth session a report on cooperation between the United Nations and the Council of Europe in the implementation of the present resolution.